

REMARKS:

Claims 43 and 46 are presented for examination, with claims 43 and 46 having been amended hereby.

Reconsideration is respectfully requested of the rejection of claims 43 and 46 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,244,400 ("Bowers") in view of U.S. Des. 410,672 ("Chu").

It is respectfully submitted that applicant does not necessarily concur with the Examiner in the Examiner's analysis of the claims of the present application and the Bowers and Chu disclosures nor in the Examiner's assertion regarding the alleged obviousness of the combination proposed in paragraph 2 of the April 8, 2004 Office Action.

Nevertheless, in order to expedite prosecution of the application, independent claims 43 and 46 have been amended hereby to more particularly point out the feature of the invention directed to the configuration wherein the elongated body of the container and the elongated interior space in which the folded eyeglasses are stored are of substantially the same shape.

It is believed that this feature (which minimizes the overall size of the container in relation to the size of the folded eyeglasses stored therein) is neither shown nor suggested by the cited references.

More particularly, it is noted that while the eyeglasses case 38 of Bowers is of a size and shape to receive a pair of folded eyeglasses, the carrying case itself (i.e., element 1) is of a much larger size (to hold the many other submodules). Further, the eyeglasses case 38 is not of substantially the same shape as the container itself (*see*, e.g., Fig. 1, showing the rectangular shape of the container being of a different aspect ratio than the shape of the eyeglasses case).

Therefore, it is respectfully submitted that the rejection of claims 43 and 46 under 35 U.S.C. 103(a) as being unpatentable over Bowers in view of Chu has been overcome.

Additionally, it is noted that this Amendment is fully supported by the originally filed application and thus, no new matter has been added. For this reason, the Amendment should be entered.

More particularly, support for the amendments to the claims is found at page 2, lines 7-9; at page 4, lines 15-21; in Figs. 13 and 14; and throughout the specification.

Finally, it is respectfully submitted that the amendments made hereby require no further

search by the Examiner since the shape of the container and the interior space therein had already been searched for and considered.

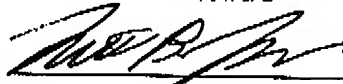
Accordingly, it is respectfully submitted that each rejection raised by the Examiner in the April 8, 2004 Office Action has been overcome and that the above-identified application is now in condition for allowance.

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